

NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
RESEARCH AND REAPPORTIONMENT

PUBLIC MEETING
TASK FORCE CENSUS DATA RELEASE

Queens Borough Hall
Meeting Room 213 - 1 & 2, 120-55 Queens Boulevard
Kew Gardens, New York
Wednesday, September 7, 2011

IMMEDIATELY FOLLOWING LATFOR PUBLIC HEARING

Task Force On Demographic Research, 9-7-2011

TASK FORCE MEMBERS:

SENATOR MICHAEL F. NOZZOLIO, Co-Chair

ASSEMBLY MEMBER JOHN J. MCENENY, Co-Chair

SENATOR MARTIN M. DILAN

ASSEMBLY MEMBER ROBERT OAKS

DEBRA LEVINE, Co-Executive Director

LEWIS HOPPE, Co-Executive Director

ROMAN HEDGES

WELQUIS LOPEZ

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2 (The public meeting commenced at 3:33
3 p.m.)

4 ASSEMBLY MEMBER JOHN J. MCENENY, CO-
5 CHAIR, NYS LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
6 RESEARCH AND REAPPORTIONMENT: I call the meeting
7 to order. Note that all members of LATFOR are
8 present, as well as the co-directors of the task
9 force.

10 And we've just completed our seventh
11 public hearing in which 40 people came in and
12 participated directly and others continue to send
13 testimony and suggestions and maps and we
14 encourage that throughout the entire process.

15 To come up to date on some issues that
16 we had before, the first issue is the question of
17 census and election data; election data joined to
18 the census data on the web site. Does someone
19 care to enlighten us that on the staff? Roman?

20 ROMAN HEDGES, NYS LEGISLATIVE TASK FORCE
21 ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT: I
22 think that what was left unresolved at our last
23 point of discussion was whether or not we were
24 going to provide the census data and the election

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2 data in a single file that was linked so that you
3 could in fact, individually or however you
4 wished, do an analysis of voting with race as a
5 factor determining those votes.

6 And what I believed that we had
7 concluded was that we would, in fact, release the
8 data that way and there was some lack of clarity
9 on that matter. And I would urge that we do
10 release it that way.

11 SENATOR MICHAEL F. NOZZOLIO, CO-CHAIR,
12 NYS LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
13 RESEARCH AND REAPPORTIONMENT: I think that this
14 is an issue we could move forward in. The
15 earlier concerns that we evidenced I believe have
16 been taken care of and so we believe it's
17 something that we can move forward in
18 expeditiously.

19 MR. HEDGES: If anyone would like to do
20 that as a formal motion, I will make that as a
21 motion.

22 SENATOR NOZZOLIO: Would you present
23 that as a motion, Roman?

24 MR. HEDGES: Yes, I would move that we

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2 release to the public the census and election
3 data that we have compiled in a single, unified
4 file.

5 ASSEMBLY MEMBER ROBERT OAKS, NYS
6 LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH
7 AND REAPPORTIONMENT: Second.

8 SENATOR NOZZOLIO: All in favor.

9 MIXED VOICES: Aye.

10 SENATOR NOZZOLIO: So moved.

11 ASSEMBLY MEMBER MCENENY: Unanimously
12 carried.

13 SENATOR NOZZOLIO: There's a question of
14 request for additional data; the data we already
15 have in our database and/or other requests of
16 data not presently in house.

17 MR. HEDGES: And I think the nature of
18 the question there really was coming from Senator
19 Dilan and it was asking us to take a look and see
20 what historical other election data we could make
21 available. And I think that the technical issue
22 that is embedded in that is that the link of that
23 data to census is really only possible using the
24 2000 census.

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2 And so, insofar as someone wished to do
3 an analysis of those elections that are more
4 historical prior to 2006, those data that we have
5 can only be linked to the 2000 census.

6 I don't know if they are already
7 available in that form. I never thought to ask
8 the staff, but I know that even if it were, it
9 would be to the 2000, and it may not be already
10 done. It might be a big project.

11 SENATOR MARTIN M. DILAN, NYS LEGISLATIVE
12 TASK FORCE ON DEMOGRAPHIC RESEARCH AND
13 REAPPORTIONMENT: I believe that the way it was
14 originally proposed is that we were going to
15 release data going back to 2006. Am I correct?

16 MR. HEDGES: That's correct.

17 SEN. DILAN: And then I had requested
18 that that go back to 2002.

19 MR. HEDGES: Correct. Exactly.

20 SEN. DILAN: And I believe that the
21 response I got from you at the West Chester
22 meeting I believe it was, was that there was an
23 issue with geography or--

24 MR. HEDGES: That's right.

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2 SEN. DILAN: or collecting those. And I
3 thought that if that is the case, if we do have
4 the data, if there's a request for it, that
5 perhaps we could release the data.

6 And if, let's say perldoc [phonetic],
7 for example; it would be incumbent upon them to
8 do whatever conversion may be necessary. Because
9 I think it would put a burden on our staff or our
10 resources to do that. But at least we could have
11 the data available if it's requested.

12 MR. HEDGES: Then I guess I would just
13 ask, could staff tell us what we've got?

14 MS. LEVINE: I actually can do that and
15 we do have - - all the data - - 2000. We do have
16 election and enrollment data going back to the
17 year 2000 based on the 2000 census and geography
18 file. And the list would include, for 2000,
19 enrollment, for all counties, Democratic Primary,
20 Congressional District 17, 5 and 19, the general
21 election for President, U.S. Senate, Congress,
22 Senate Assembly, all counties, non-New York City
23 local races, the county legislature for the
24 general election in Suffolk District 5.

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2 2001, Democratic Party Mayor, all city
3 counties, borough President, District 5, 47-81,
4 City Comptroller, all city counties, Public
5 Advocate, all city counties, City Council, all
6 city counties, Districts 1, 2, 4, 6-7, 37, 40,
7 42-47, 49, 50, the Republican Primary Mayor, all
8 city counties, the Democratic Run-off Mayor, all
9 city counties, Public Advocate, all city
10 counties, general election Mayor, all city
11 counties, borough President, all city counties,
12 city council, all city counties, all districts,
13 City Comptroller, all city counties, Public
14 Advocate, all city counties. For non-New York
15 City local races, there's a Trustee, general,
16 Hempstead Village, Council, general, Hempstead
17 Village at large, Nassau Judge, general,
18 Hempstead Village, County Clerk, general, West
19 Chester, County Legislature, general, West
20 Chester District 17, Town Council Democratic
21 Primary, White Plains at large.

22 That's 2001. Do you want me to read all
23 of this?

24 SEN. DILAN: My position is that I

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2 believe that we already voted to release data up
3 to 2006. Is that correct?

4 MS. LEVINE: Yes.

5 SEN. DILAN: So my request simply is
6 that if we have the data and someone requests
7 that data, that we make it available to them. If
8 we do not have the data, then I believe that that
9 data would be readily available at their local
10 Board of Elections.

11 All I'm saying is whatever we do have in
12 house, that we provide it. If we do not have it,
13 we can't give it to them. Is that fair?

14 ASSEMBLY MEMBER MCENENY: That's seems--
15 we shouldn't be responsible.

16 SEN. DILAN: I agree.

17 SENATOR NOZZOLIO: And I don't believe
18 we need a separate motion for this Senator,
19 unless you feel like [Background Noise].

20 SEN. DILAN: Well I mean, if we can just
21 go on record that if we do have data available in
22 house and there's a specific request made and we
23 do have it, then we provide it. If we do not
24 have it, then we can say, "Well, you would have

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2 to get that from your local Board of Election."

3 SENATOR NOZZOLIO: I don't object to
4 that at all.

5 ASSEMBLY MEMBER MCENENY: None at all.
6 If you--

7 SENATOR NOZZOLIO: You want to make it a
8 motion?

9 SEN. DILAN: I so move.

10 ASSEMBLY MEMBER MCENENY: Second.

11 SENATOR NOZZOLIO: All in favor.

12 MIXED VOICES: Aye.

13 ASSEMBLY MEMBER MCENENY: Does that
14 bring us to the Tiger files or do we have to
15 handle that as a separate issue?

16 MR. HEDGES: I think it's resolved in
17 what we just did.

18 ASSEMBLY MEMBER MCENENY: Which brings
19 us to the question of the American Community
20 Survey data. And for somebody watching this on
21 the web, this is a statistical sample which gives
22 information on education and on income and a
23 number of other socio-demographic, ethnicity,
24 etc.

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2 And one of the things it gives is,
3 whether you're a citizen or not--and the question
4 was whether we should accumulate that data in a
5 useful form.

6 And I think what we saw here today in
7 Queens is the desire to create Asian districts or
8 at least concentrations of Asian-Americans that
9 would not be divided unnecessarily and whose
10 aspirations could be respected to really find out
11 whether something could be produced at the poles.

12 It is important to know who's a citizen
13 and who is not. I think it's useful information.

14 SENATOR NOZZOLIO: I share your thoughts
15 that the data is certainly important and should
16 be utilized. The situation though is changing
17 rapidly and there will be new data put forward.
18 When are we expecting the new data to arrive?

19 MS. LEVINE: Before the end of the year;
20 December, January--

21 SENATOR NOZZOLIO: Sometime within the
22 next 90 days or so there will be a whole new
23 series of data that will be forthcoming. It's
24 been our position that we wait until that data is

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2 received from the Census Bureau to then go

3 forward because it's this data that we will end

4 up having the draw the appropriate lines from.

5 MR. HEDGES: The thing is that what the
6 Bureau has made available that's unique with
7 respect to citizenship is that the data are
8 available at what's called the Block Group Level;
9 a much finer geography than is normal for the
10 American Community Survey. I don't believe that
11 there's any plan on their part to do that detail
12 in the next release, so that that actual
13 comparable data might be months and months away
14 as opposed to days away.

15 And I would prefer to put that
16 citizenship data at the Block Group Level out
17 into the public arena, knowing that there are
18 some issues with it. It uses the 2000 census
19 geography, not the current geography and it is a
20 one-time kind of special release of something at
21 a much finer level of geography than otherwise
22 will be available through the Community Survey.
23 And that's really why I thought it would be good
24 to make it available.

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2 SENATOR NOZZOLIO: What I don't like
3 about that data is that we as a task force will
4 be validating it when, in fact, we're not certain
5 of its own validity and of its own accuracy.

6 My view is a compromise should be
7 achieved and that let's link the appropriate web
8 sites. Let's put a link to the Census Bureau.
9 This is available from the Census Bureau. And
10 let those who are seeking the information be
11 assisted by the task force.

12 But I think that to have us state that
13 this is endorsed by the task force in terms of
14 its accuracy and its data, I think is a leap that
15 I believe is inappropriate.

16 MR. HEDGES: I would certainly be
17 comfortable with whatever kind of disclaimer is
18 needed to say these are the Bureau's data and
19 they have, described by the Bureau, many
20 weaknesses and users should beware.

21 SENATOR NOZZOLIO: We talked about this-

22 -

23 MR. HEDGES: Yeah, right.

24 SENATOR NOZZOLIO: at the last meeting;

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2 that the type of disclaimer that we should put on
3 the information. I think it would be much easier
4 to say the data is what it is. You can get it
5 from the Census Bureau and here's the way to do
6 it in an easier way.

7 And so with that, my distinguished co-
8 chair, what's your recommendation?

9 ASSEMBLY MEMBER MCENENY: I think we
10 have to agree to disagree on this because I don't
11 even endorse the census numbers for Queens. I
12 think there's an undercount, but it is what it is
13 and we're stuck with it unless something comes
14 out of the clouds to rescue Queens and add more
15 people and obviously that's highly unlikely to
16 happen.

17 But I'd just go on record; I think if
18 you put a disclaimer on it and you make it
19 convenient to people--I happen to be maybe too
20 close to it, having taken the census as a Census
21 District Director some years ago. I think it's
22 useful and I think it gives information which
23 goes beyond simple race and age.

24 And so, I'd like to see it on our web

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2 site, but if we don't have a consensus there,
3 then I think the fall back is to refer to it and
4 let people look it up themselves, at least for
5 the moment.

6 SENATOR NOZZOLIO: Is this one that we
7 could agree to disagree precisely, but I think in
8 terms of the objective, would someone entertain a
9 motion, someone develop a motion?

10 It looks like I'm on my own here. Let
11 me proffer this as a suggestion. The American
12 Community Survey data is available at certain
13 locations that we can--rather than fight to parse
14 the language of a disclaimer, why don't we just
15 indicate on the task force, and this is a motion,
16 that the task force place the fact that this data
17 is available and provide the link so someone with
18 a click of the button could be directed to where
19 that information is located?

20 MALE VOICE: Second it.

21 SENATOR NOZZOLIO: Second it. It's a
22 motion. It's been seconded. Any discussion?

23 MALE VOICE: You want to vote?

24 SENATOR NOZZOLIO: Let's call a vote.

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2 All in favor?

3 MIXED VOICES: Aye.

4 MALE VOICE: I'm a no.

5 SENATOR NOZZOLIO: I'm a no as well.

6 Two no's against 4 aye's.

7 SEN. DILAN: Can I just make a comment
8 please?

9 ASSEMBLY MEMBER MCENENY: Certainly.

10 SEN. DILAN: You know, at this point I'm
11 going to vote for it, but I would respectfully
12 request that at some point before the release of
13 the proposed lines that we address this issue
14 again and if that's the case, then I will vote
15 for it; that we could, as we get closer to the
16 release, revisit it. Then I would vote for this
17 at this time. Is that fair? If that's the case
18 with that condition, I will vote yes.

19 ASSEMBLY MEMBER MCENENY: I'll believe
20 that we're going to get useful information in
21 December when I see it. I think more likely what
22 you see is the only thing you're going to get.
23 But let's move on here in the question of the
24 prisoner data. I'm sorry; election data to

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2 voting tabulation district equivalencies. Roman,
3 do you want to take item three there?

4 MR. HEDGES: I thought that we actually
5 had agreed to do this in a--I believe that it was
6 going to try to be up already.

7 MS. LEVINE: Well, I thought it was up
8 already and along with the field data - - the
9 election data, but for this discussion, this will
10 identify to the public what 2008 election
11 district comprised each 2008 voting tabulation
12 district for which census data - - and so
13 basically somebody - - determined - - .

14 Just to repeat; what we're talking about
15 here is the identification of 2008 election
16 districts to the 2008 BTB voting tabulation
17 geography. And so the task force is going to put
18 on its web site so that this might be more so for
19 local redistricting, but you will be able to
20 identify by county what 2008 election districts
21 make up the 2008 voting tabulation districts.

22 And I know the data was already
23 submitted to the Assembly, who is responsible for
24 uploading this to our web site, along with the

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2 election joint to the census data. So if it's
3 not there already, as we've all agreed, it will
4 be there I would assume by tomorrow.

5 MR. HEDGES: Great.

6 ASSEMBLY MEMBER MCENENY: I don't think
7 we need a vote on that. Item four is Part 20 of
8 Chapter 57 of the laws of 2010; the issue of the
9 prisoner data and repatriating, if you will,
10 those that we can back to their homes.

11 MR. HEDGES: What I'd like to do is to
12 spend a couple of minutes and describe what work
13 has been done and then at the conclusion of that
14 make a suggestion for sort of next steps.

15 What we did, and the "we" is important
16 here, because the we was Assembly only without
17 anyone else's input that we desperately need to
18 have. We sat down and took the work that we were
19 give by the Department of Corrections, which was
20 a list of all inmates without a name identifier;
21 but a list of all inmates and their address prior
22 to incarceration. The list also had on it the
23 facility that they were located in at the time
24 that the census was done, which was April 1st,

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2 2010.

3 We got from them 58,237 records and they
4 were identified as being from 68 facilities.

5 There are only 67 facilities today and about to
6 be fewer than that, but the 68 that they gave us,
7 which was the number on the census day.

8 The Census Bureau gave us a different
9 document. They gave us group quarters and in the
10 classification of group quarters they had a
11 category called adult correctional population.

12 There were 186 blocks in New York identified as
13 having adult correctional population in them and
14 those blocks had a total population of 117,717.

15 That having been said, there was no
16 facility identifier on that block. There was
17 only this block has got this many people in it
18 that are in a group quarters called adult
19 correction facilities, or adult correctional
20 population, excuse me. It's got federal prisons
21 in that number, it's got state prisons in that
22 number, it's got county jails in the number, it's
23 got other kinds of local facilities, it's got
24 immigration facilities; a whole bunch of things

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2 that we didn't think were all covered under Part
3 20 of the laws.

4 And that having been said, the task then
5 became can we match these? Can we figure out
6 which one is which thing? And we spent a fair
7 amount of time doing just that.

8 We started out with that list of blocks,
9 the 186, and said, "Well, only 75 appear to have
10 adult correctional facilities of the sorts that
11 DOCS is talking about; the 68 that they gave us."
12 And that's in the form of some blocks only have
13 one facility on them; some blocks are actually
14 reflective of portions of a prison. There's one
15 prison that's on four blocks as best we can
16 figure it out and so on.

17 I can go through all that excruciating
18 detail but the net effect is there were 75 blocks
19 that we could do that link and when I say, "Do
20 that link," we not only used the DOCS list that
21 we got, we used information that we got from
22 Cornell University that had a contract with the
23 Census Bureau to help them identify where the
24 prisons were.

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2 And so we had that list of things to
3 work with. We had our own institutional
4 knowledge about where the prisons were and we
5 also employed Google Map and Google satellite
6 pictures and discovered some things like the
7 following.

8 This block that is reported by the
9 Census Bureau as having an adult correctional
10 population to it is actually a parking lot next
11 to the prison. And they've reported nobody in
12 the prison but a whole lot of people in the
13 parking lot. We assumed, an assumption that we
14 made was that we could make that identification
15 and go with it.

16 In every instance where we had those
17 kinds of mistakes, we used all of the various
18 tools that we had to try to nail them down. We
19 recorded every one of those judgments so that
20 we'll be able to have the staff look at them and
21 second guess them as appropriate and we could
22 work on coming to an agreement that those were
23 the right determinations.

24 That all having been said, in every

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2 instance where those kinds of mistakes occurred,
3 they were always within a municipality; that is
4 to say, within a town. So it, from a
5 redistricting at the state legislative level,
6 never matters. Whether we get the right block or
7 not, it's important that we got the right
8 facility and the right number, but probably not
9 important that it not be the parking lot and be
10 the DOCS facility next door.

11 In addition to that, it never crossed a
12 state legislative line either. It was never any
13 instance where that misidentification or mis-
14 location or error or whatever term you wish to
15 use for it, would actually have any material
16 importance.

17 That all having been said, we went
18 through, we did all of that identification. We
19 then did the next piece of the task which is to
20 say, "Okay, here's the report from the Census
21 Bureau. Here's the count from DOCS. We're
22 charged under the statute to do a subtraction.
23 Subtract these people out of that block for the
24 purposes of redistricting. So let's take a look.

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2 Do those blocks make sense? Is the population
3 that's reported always bigger than the DOCS list
4 says it should be?" And the answer is: almost
5 always. Most of the time, it's bigger. Some of
6 the times, it's actually equal to the Census
7 reported number and the DOCS list.

8 There are a few instances where it's not
9 and there are a sum total of 38 people in all of
10 those blocks where we've got more people on our
11 list from DOCS than the Census Bureau reported
12 people on that block. And in those instances,
13 the conclusion that we came to was, "Well, you
14 can't end up with a minus number. You can't have
15 negative population. So let's call it zero and
16 say that there's a small error." It affects 38
17 individuals.

18 That having been said, in all instances
19 where the number was bigger than the list said it
20 should be, there's usually a pretty straight
21 forward explanation for why that could happen and
22 it makes sense to say there are still people left
23 on that block. An easy example is in many of the
24 prisons, the warden actually lives at the prison.

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2 His residence is there. He should have been
3 counted there and he shouldn't be subtracted.
4 He's not a prisoner.

5 In some instances we have other kinds of
6 facilities on the same block. In upstate New
7 York, in the Utica area, we have on the same
8 block a mental health facility. We have a
9 facility that is kind of in the middle. It's the
10 sexual predators' facility and a traditional
11 prison. And they're all in the same block.

12 The part that we believe that we were
13 supposed to be subtracting out was the DOCS
14 population. So that's what we did. And there
15 are still several hundred people on that block,
16 as we think there should be.

17 That having been said, that's exactly
18 the kind of stuff that staff has got to look at
19 together. This shouldn't be something that we've
20 just done by ourselves and we would welcome
21 somebody second guessing us on that. And if
22 there are other mistakes that we've made in the
23 course of doing this, we'd welcome those
24 corrections be made to our work as well.

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2 That having been said, that's kind of
3 half the exercise. The other half of the
4 exercise is now that they've been subtracted,
5 we've got to go figure out where they are
6 supposed to be places. And what that requires is
7 looking at those addresses and actually doing the
8 thing that the technicians call geocoding those
9 addresses.

10 Well for starters, what DOCS gave us
11 wasn't one address for each person. They gave us
12 six. And they gave it to us in a particular form
13 and that particular form isn't always completely
14 in compliance with our software's requirements.

15 For example, all the words have to get
16 spelled out. Well, DOCS didn't always spell the
17 word out. BX is what we think they used as their
18 abbreviation for Bronx. Well, there's another
19 place where we've got to have somebody else
20 looking at that with us, but we said, "Okay,
21 every time they said BX, we should write out the
22 word Bronx because the software won't let us look
23 it up as BX."

24 We've got about 32,000 of the 58 that

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2 were in the category of there no ambiguity.

3 There was a complete address in the right format.

4 Those we can look up. There were 2,433 where the

5 address given was an out-of-state address. Well,

6 that's pretty easy. The statute says don't add

7 them in anywhere.

8 We had another 1,276 where there was not

9 a clue as to what the address was. It said

10 nothing. It was completely blank in all six

11 versions of the address. Or it said something

12 like homeless. Or it said unknown. Things that

13 were clearly not anything you could work with.

14 So the group that was clean; 32,000,

15 that's part one. The group that's clean the

16 other way you're not going to do anything with.

17 That's part two in those two pieces.

18 The next group was 14,154 records where

19 we think it was only that minor editing kind of

20 thing; BX becomes Bronx. And we recorded that as

21 a distinct category. And in each instance where

22 we made what I would call a reformatting kind of

23 decision, we've kept them as distinct. That's

24 what we did here. We even wrote down which part

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2 of the address we reformatted.

3 So, for example, if it said 1333 5th
4 Street and 5th was 5 th instead of five written
5 out, we made that amendment and we noted that it
6 was in the street address that we made an
7 amendment. When we change Bronx; BX to Bronx, we
8 said, "Well, that was in the city field that we
9 did that." And in each instance, that detail is
10 recorded line by line. We went through every one
11 and did those kind of detailed things.

12 The next group is more problematic. We
13 saw something in the record in a field other than
14 legal address and we used it. And we used it
15 because we thought in the context of reading the
16 entire bit of information that we had about that
17 prisoner, that that substitution was merited.

18 Those questions all have to be looked at
19 and again, we took a stab at it. We think it's
20 very good, but we also think that other people
21 need to look at it as well.

22 So those are kind of the big picture
23 categories. 32,000 clean, easily in the format
24 that we need them to be in. 14,000 need to be

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2 amended a little bit. 8,000 need substitution of
3 some sort. And a few that we are going to say
4 from the get go just aren't going to make it.
5 All of that then constitutes the beginning. Now,
6 let's go look them up.

7 Now, it took us several different passes
8 to get to that point that we had addresses to go
9 look up, but that's the bottom line. We've now
10 got a bunch of addresses to go look up. When we
11 did that, we were able to locate 40,000. That is
12 to say, we could get a block assigned to that
13 address. There was such an address in today's
14 world. That doesn't mean that that address that
15 we couldn't find wasn't there ever. It means we
16 couldn't find it. And we're going to say them,
17 "They're not a match. We don't have an address.
18 We can't do anything with them."

19 So if you want to kind of do big picture
20 there; we started with 58,000. We've got about
21 3,500 that fall into the category that statute
22 says you are not going to look them up because
23 they're out of state or because there's nothing
24 there to look up.

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2 In the group that we could figure out
3 the address for when we looked them up, we could
4 find 40,000. So that constitutes the group that
5 we believe needs to be added back on the
6 appropriate block throughout the state. And when
7 we've done that work, we've recorded at every
8 step of the way, "Here's exactly the
9 determination that we made and here's exactly
10 which part of the address that we have done
11 something with, if we've done anything at all
12 with." The 32,000 there's nothing to write down
13 about.

14 So, that constitutes the bulk of the
15 work. There are a whole bunch of details on the
16 editorial process that we went through. An
17 example of some of that complexity that is worth
18 citing and then moving on; when we went to look
19 up an address and we were looking for 115 Main
20 Street and the software told us there isn't such
21 an address; 115 Main Street, because in that town
22 they call it North Main Street. We took a look
23 at that and we made those kinds of changes too
24 and that was in that 14,000 where we made those

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2 minor editorial things. We felt pretty
3 comfortable with those kinds of changes as well.
4 We don't think we were providing a guess there.
5 I think we thought we were doing good, solid
6 research to make sure that we weren't locating
7 somebody incorrectly.

8 When we found in a particular community
9 that there was a Fourth Street but not a Fourth
10 Avenue and it said Fourth, we said Street. But
11 when we get to Queens, where there are 14 things
12 each with their own made up name, we couldn't
13 figure out what to do, so we didn't. You know,
14 in Queens there's a Road, there's a Place,
15 there's a Street, there's a Avenue and sometimes
16 they're actually right next to each other. It's
17 pretty hard to do anything with that and so we
18 didn't.

19 SENATOR NOZZOLIO: With that--

20 MR. HEDGES: One more thing. So in our
21 mind, what we would like to do is give this
22 detailed work in the form of a spread sheet to
23 the joint staff and see if we can work on this
24 together with us having done what we think of as

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2 a first draft.

3 SENATOR NOZZOLIO: Thank you. First of
4 all, as a co-member of this task force, I want to
5 thank Roman Hedges individually for his efforts
6 in this endeavor. It is obviously a large
7 endeavor; one that the Census Bureau would have
8 trouble with and they're a bureau. And they're a
9 bureau that's funded by the federal government
10 and is extensive in terms of the resources they
11 have available to make these types of call.

12 So from that standpoint, Roman, I wish
13 to reiterate my thanks to you for starting this
14 process and for your attempts and your staff's
15 attempts to push this forward.

16 I have a number of questions. I have a
17 number of concerns. I think that one of the ones
18 that comes to mind immediately is how long did it
19 take you just to geocode the prisons in this
20 state?

21 MR. HEDGES: Since we were kind of doing
22 both of these things at the same time, I'm not
23 sure that I could give you a precise, but it was
24 several weeks.

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2 SENATOR NOZZOLIO: Several weeks just to
3 locate the facilities; extracting them from the
4 census. So I think that what I'm--let alone the
5 58,000 individuals. I assume it took more than
6 several weeks to even begin that process.

7 Your suggestion is one that I want to
8 try to put in the form of a motion; that is, this
9 task force has a lot of different elements to it
10 and this is one. We're finding that at the very
11 least there are approximately 20,000 people that
12 just have, at this point, no location to them.

13 Is that--

14 MR. HEDGES: That's correct.

15 SENATOR NOZZOLIO: And that to me means
16 20,000 people are not being counted and that to
17 me is a large town in upstate New York
18 equivalent, or a major neighborhood in the city
19 of New York. It's something that--we need to
20 take your work further. We need to have deployed
21 more resources to this. We need to have a joint--
22 --so let me try to put this in the form of a
23 motion.

24 The issue of all data, all methodology,

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2 review of all the consultants--I understand you
3 used one of my alma maters, Cornell University,
4 as a check. Maybe you could just explain for the
5 record what deployment was made; what type of
6 services were elicited from Cornell University.

7 MR. HEDGES: What Cornell had done is
8 they have actually made public the fruits of
9 their labor; which was to say, they were under
10 contract with the Census Bureau to help the
11 Census Bureau locate the prisons. And so they've
12 actually made available on the web and we used
13 they're resource in that sense. We didn't hire
14 them--

15 SENATOR NOZZOLIO: This was not a
16 contractual or personal services contract or
17 anything like that?

18 MR. HEDGES: No, not at all. But we--I
19 had actually gone to a conference that was hosted
20 by our Department of Economic Development; our
21 meaning the state, with a person who was on this
22 project for Cornell doing a presentation. And
23 based on what I learned at the presentation, I
24 said in regards to this upcoming project, "Gosh,

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2 this is a resource that we need to tap."

3 So I had some conversations with one of
4 the faculty members who was involved in it and
5 then we sent a staff person of ours over to
6 Cornell to talk to him at greater length. We
7 found out that they were going to make this stuff
8 all available on the web, so from that point on,
9 we simply used the web resources that were there.
10 And in several instances they still are in
11 dispute with the Census Bureau. They say the
12 prison's across the street and the Bureau is
13 still reporting it as not in the right place,
14 according the Cornell.

15 That was part of the reason that we got
16 comfortable with the notion that we need to go
17 look these things up ourselves. We're going to
18 use Google as a tool because they're got that
19 resource available, so it's public information
20 there as well. But that's really what allowed us
21 to do the triangulation. Here's what looks like
22 a group quarters, adult correctional. This is
23 the block the Bureau's got it on. We've got
24 Cornell saying, "No, it's not. It's across the

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2 street." Well, then let's go look ourselves and
3 see what it says. And it looks to us like it's
4 across the street just as our knowledge of DOCS
5 and the Cornell knowledge of DOCS would have
6 suggested it was. And since it didn't affect
7 districts or municipalities, we said that that's
8 an error we can correct and move on.

9 SENATOR NOZZOLIO: Let me try to make
10 this again in the form of a motion. The review
11 and verification of this entire prisoner counting
12 is necessary because, unlike the census data and
13 the election data, this will be a product of
14 LATFOR. This is something that needs to be
15 completely as accurate as we can possibly make
16 that.

17 So, my recommendation, again in the form
18 of, or try to put it in the form of a motion, is
19 that a total review of the process, in terms of
20 reviewing it as well as cataloging it, needs to
21 be part of this record. All the data utilized,
22 all the methodology, all the software used needs
23 to be chronicled and that the staff the LATFOR be
24 determined by the two co-executive directors

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2 should put together a task force now to work in
3 conjunction with the work that has been done to
4 provide its verification and report to the LATFOR
5 committee. Can I have that as a second?

6 ASSEMBLY MEMBER MCENENY: I'd like to
7 second that.

8 SENATOR NOZZOLIO: Co-chair seconds it.
9 For a discussion, Senator Dilan?

10 SEN. DILAN: If it's acceptable to you,
11 Mr. Chairman, I would also like to request as
12 part of your motion that we also include the two
13 minority conferences staff in this review also.
14 As you know, for the past two years I was a co-
15 chair and my staff did start to do some of this
16 work last year and they do have some expertise
17 and I believe that they could also be of
18 assistance and ensure that the adequacy of the
19 data is 100% and I believe that all members of
20 the task force and their staff should be involved
21 in that review.

22 SENATOR NOZZOLIO: I agree and have no
23 objection to that modification of the--let's put
24 it right in the form of that resolution.

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2 ASSEMBLY MEMBER MCENENY: I second - - .

3 SENATOR NOZZOLIO: So McEneny seconds
4 Senator Dilan's amendment. Let's vote on the
5 whole process at once. All those in favor?

6 MIXED VOICES: Aye.

7 SENATOR NOZZOLIO: Okay. Anyone
8 opposed? Thank you. And let's set a date
9 certain. This task is much more complex than the
10 legislature, the movers of this, in terms of the
11 resources and the direction and the entire
12 process and again, Roman, I'm complimentary to
13 you on the extensive nature of this project and
14 for you to get it through. I think that we would
15 like to see though a full review beginning in
16 earnest by this time next week; that we do not
17 have hearings next week. I think next week would
18 be a good opportunity to begin that review
19 process and then let's give a two week window to
20 having that. Is that sufficient for, in terms--
21 so that within two weeks, let's say a report by
22 the end of the month which would coincide with
23 our hearing date and next meeting date in the
24 first week of October.

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2 SEN. DILAN: First week of October? You
3 want it - - at the Suffolk meeting or--

4 SENATOR NOZZOLIO: At the hearing. So
5 then, let's--

6 SEN. DILAN: At the Suffolk meeting?

7 SENATOR NOZZOLIO: At the--our next
8 meeting will be held, or our last meeting of the--
9 -our first meeting after the end of this month
10 would be in Nassau, so why don't we suggest that?
11 Nassau, Suffolk.

12 ASSEMBLY MEMBER OAKS: Just two quick
13 items. One is kind of a side note. Is there any
14 update at all on the court case that's still
15 outstanding on this issue at this point?

16 MALE VOICE: Nothing.

17 ASSEMBLY MEMBER OAKS: Okay. And number
18 two; I know what was given today I think was in
19 PDF format of information. Is there any chance
20 to have that in excel or not? Is that--

21 MR. HEDGES: I think the staff working
22 on it is going to have to have it in excel
23 because they're going to have to be able to move
24 it around. So I see no reason not to do that.

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2 The reason that we were interested in
3 making it in PDF form is so that someplace it was
4 frozen that no one could inadvertently do
5 anything to. And I think that we're confident
6 that we've got that now and that we can use that
7 as a starting point and you're going to have to
8 be able to manipulate it or you can't do that
9 work.

10 MALE VOICE: A vote on your resolution as
11 amended. I don't think we voted.

12 SENATOR NOZZOLIO: I think we said all.

13 MALE VOICE: Did we? All right.

14 SENATOR NOZZOLIO: Yes, I think we did
15 and the agreement is a report at our next
16 scheduled meeting, which will be after the
17 hearing in Suffolk County.

18 ASSEMBLY MEMBER MCENENY: We have one
19 more item on here. We've had requests from
20 Senator Dilan and from Assemblyman Oaks for
21 additional hearings, specifically in Nassau
22 County and not just Long Island and someplace up
23 in the North Country.

24 I would like to recommend in the

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2 interest of time and cost that we compromise on
3 that and put both of those hearings in the
4 schedule that we'll be making up now to do the
5 final set of public hearings. So instead of
6 doing 12, we'll do 14.

7 SENATOR NOZZOLIO: And I have no
8 objection to that concept. If I may though,
9 there may be other areas of the state that also
10 would like to be reached during that process and
11 that again, I have no objection to those two that
12 are listed, but I would want to have, I would
13 like to remain the option open for that to be
14 cleared with potentially additional sites after
15 the maps.

16 ASSMELBY MEMBER OAKS: Just a quick item
17 from my perspective; obviously I understand the
18 concern of time and trying to move forward. I'm
19 sure that your consideration is appreciated if,
20 in the next round, we are able to do that, I
21 think--you know, it's not perfect, but in the
22 interest of making everything work, I think that
23 that--I appreciate your consideration of it and
24 look forward to having that schedule be

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2 inclusive.

3 ASSEMBLY MEMBER MCENENY: Thank you very
4 much.

5 SEN. DILAN: You know, I did make the
6 original request with respect to Nassau County.
7 I think that the census data that was recently
8 released indicated that there is communities of
9 interest in that area and I think that they have
10 the same right that every single other city or
11 town or county deserves and I believe that there
12 should be a hearing with respect to Nassau County
13 prior to the release of the plans and I believe
14 that they should have input. A hearing after the
15 proposed maps are drawn is really, it's a
16 compromise and at some point they'll have input,
17 but really as the co-chair in our house has
18 indicated that he does want to hear what the
19 citizens of the state of New York have to say.
20 And I think that Nassau County has never had a
21 hearing with respect to redistricting and I think
22 that they're due that just like many counties
23 throughout the state of New York. And Nassau
24 County is a very populated county that merits a

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2 hearing of its own.

3 ASSEMBLY MEMBER MCENENY: I think some
4 of us have always thought of it as a Long Island
5 hearing and this is not something that's being
6 held out in Montauk or in Riverhead. It's being
7 held right on the boarded of the two counties,
8 but unfortunately it has to be in one county or
9 another, so I don't think it's a case of dissing
10 Nassau. We're right on the boarder as far as I
11 can tell from the map.

12 MALE VOICE: I'm not leaving Nassau and
13 I'm - - everybody can get there.

14 [crosstalk]

15 ASSEMBLY MEMBER MCENENY: Excuse me a
16 second. If you want to be recognized, you'd
17 speak into the mic so this could be recorded; so
18 we could make it part of the record and not turn
19 this into a circus.

20 I understand what you're saying
21 Assemblyman, however I can use the counter
22 argument, and I hope I don't upset anyone in New
23 York City. But here in New York City, we're
24 holding a hearing in each county. We're also

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2 holding a hearing in Staten Island, which is a
3 very small county. Nassau County is a very large
4 county and we're going to be holding five
5 hearings in New York City. I believe that Nassau
6 deserves its own hearing.

7 WELQUIS LOPEZ, NYS LEGISLATIVE TASK
8 FORCE ON DEMOGRAPHIC RESEARCH AND
9 REAPPORTIONMENT: With all due respect to Senator
10 Dilan, I live in Nassau County and I've been
11 living in Nassau County since I was basically 15
12 years old. And Nassau and Suffolk County are
13 basically in the middle of it. That's the best
14 way you do so you can attract both participants
15 to come in.

16 I think that people won't have any
17 problem coming to that area. We have done it in
18 many occasions in different things with education
19 and we get everybody involved and they come right
20 there.

21 So personally, if you talk about the
22 other; the city, how many millions of people the
23 city has. So I think that if you have it on the
24 borderline, which is Nassau and Suffolk, you're

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2 hitting both at the same time.

3 SEN. DILAN: So, let's do it on the
4 borderline of Nassau.

5 SENATOR NOZZOLIO: Thank you all very
6 much. I look forward to seeing everyone tomorrow
7 at our hearing in the Bronx and without further
8 ado--

9 MALE VOICE: So, what's happening with
10 this issue?

11 ASSEMBLY MEMBER MCENENY: You want it as
12 a motion?

13 SENATOR NOZZOLIO: There was a
14 discussion; my understanding, a discussion that
15 the hearing schedule for next time, there would
16 be a general agreement that those additional
17 sites would be considered. But I also would like
18 to see some other sites considered too. So, I
19 guess this is, for lack of a better word, tabled
20 until then.

21 ASSEMBLY MEMBER MCENENY: And at the
22 very least, there will be a North Country and a
23 Nassau added to the list.

24 MALE VOICE: Thank you.

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SENATOR NOZZOLIO: Thank you all.

(The public hearing concluded at 4:26
p.m.)

Committee on Governmental Employees, 3-3-2010

C E R T I F I C A T E

I, Trisha Ruckart, do hereby certify that the foregoing typewritten transcription, consisting of pages number 1 to 47, inclusive, is a true record prepared by me and completed from materials provided to me.



Trisha Ruckart, Transcriptionist

September 19, 2011